

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

MARGARET A. MANCHOOK,

Plaintiff,

vs.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

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CASE NO. 1:18-cv-1593

OPINION & ORDER
[Resolving Doc. [1](#)]

JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

Plaintiff Margaret Manchook seeks judicial review of Defendant Social Security Commissioner's decision to deny her disability insurance benefits and supplemental security income applications.¹ On May 9, 2019, Magistrate Judge Thomas Parker issued a Report and Recommendation ("R&R") recommending that the Court vacate the Commissioner's final decision and remand the case for further proceedings.²

Any objections to Magistrate Judge Parker's Report and Recommendation ("R&R") were due by May 23, 2019. Neither party objected.

The Federal Magistrates Act requires a district court to conduct a *de novo* review of the portions of an R&R to which the parties have objected.³ Absent objection, a district court may adopt the R&R without review.⁴

Because no party objected to the R&R, this Court may adopt the R&R without

¹ Doc. [1](#). Plaintiff and Defendant file merits briefs. Docs. [12](#), [16](#). Plaintiff replies to Defendant's brief. Doc. [17](#).

² Doc. [18](#).

³ 28 U.S.C. § 636(b)(1).

⁴ *Thomas v. Arn*, 474 U.S. 140, 149–52 (1985). Failure to timely object may waive a party's right to appeal the district court's order adopting the R&R. *Id.* at 155; *United States v. Walters*, 638 F.2d 947, 949–50 (6th Cir. 1981).

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further review. Moreover, having conducted its own review of the record, the Court agrees with the conclusions in the R&R.

Accordingly, the Court **ADOPTS** Magistrate Judge Parker's R&R, incorporating it fully herein by reference, **VACATES** the Commissioner's final decision, and **REMANDS** the case for proceedings consistent with the opinion.

IT IS SO ORDERED.

Dated: June 28, 2019

s/ *James S. Gwin*
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE